

**REMARKS**

Applicant has carefully reviewed the Office Action dated October 24, 2003. Applicant amended Claims 1 and 19 to more clearly point out the present inventive concept. Claims 17 and 34 have been canceled. Reconsideration and favorable action is respectfully requested.

Claims 1-12, 16-18, 19-30, and 33-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Hudetz*, *Nelson* and further in view of *Wellner*. This rejection is respectfully traversed with respect to amended claims.

The Examiner has utilized the *Hudetz* reference for disclosing the concept of displaying a web page to a user after retrieving location information associated with the unique code from a database. Applicant notes that *Hudetz* requires that the user scan a barcode and, after scanning the barcode, retrieve from the database information in an HTML format. The user then selects a location from that HTML page that is retrieved. As such, this is not an automatic operation such that the information stored in the database automatically causes a "jump" to the appropriate and associated remote location, and any connection requires the user to actively input the code. However, the Examiner has noted that the portable transponder is not disclosed by *Hudetz* and then utilized the *Nelson* reference to support the rejection of the claims with the combination of *Nelson* and *Hudetz*. The *Nelson* reference is merely a transponder that has included therein an identification code for an associated code recipient. This code recipient could be an individual or could be some document. As such, the transponder will have disposed therein a code that must be retrieved for some purpose. The Examiner has noted that this is an analogous art. Applicant respectfully disagrees. The purpose of the *Nelson* document is to look up information in a relational database. As such, the code stored in the transponder will be utilized in a relational database to look up specific information. It will not look up information that can be utilized to jump to a different location on a network. However, as in *Hudetz*, this code will provide information back to a system that utilizes the code for retrieving information. The type of information that is retrieved is not the same, i.e., is not utilized to jump to a different location on the network. Therefore,

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Applicant believes that the combination of *Nelson* and *Hudetz* does not anticipate independent Claims 1 and 19 and, therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. 103(a) rejection with respect to these claims.

The Examiner has rejected some of the other dependent claims specifically in view of the combination of *Hudetz* and *Nelson*. Applicant will discuss these to some extent. With respect to the rejection of Claim 5 in paragraph 13 of the response, the Examiner indicates that there is unique transponder identification code that is associated with the triggering device itself. Applicant believes that the Examiner's cited sections, Column 5, Lines 59-66 and Column 6, Lines 9-25 relate to the code associated with the code recipient. This is referred to as an "individual identification code." There is no disclosure in *Nelson* that indicates that the transponder has any usefulness other than as a carrier of the recipient's code. As such, Applicant believes that Claim 5, with reference of the above noted arguments in view of Claim 1, is not anticipated or obviated by the combination of *Nelson* and *Hudetz*. With respect to Claim 7, Claim 7 relates to the remote location being a relation between both the unique code that is associated with the transponder and the other unique code that is stored therein, i.e., the one that is not uniquely associated with the transponder. This is an association of the device code and the non-device related code that is utilized to define a location on the web. There is no disclosure in *Nelson* to support such a concept, as the disclosure at Column 11, Lines 48-55 and Column 3, Lines 1-5, merely relates to the fact that a particular code in the transponder can be associated with identification codes of recipients at the database. There is no disclosure of two codes being stored in the transponder that can be transmitted to a location on the network having a database disposed thereat for looking up routing information therefrom. As such, Applicant believes that *Nelson* does not, when combined with *Hudetz*, obviate Claim 7.

In general, neither the *Hudetz* nor *Nelson* references taken singularly or in combination, suggest or disclose the concept of utilizing a portable transponder than can be disposed on a personal object such that when it is in receiving range of a PC or the activation device, that the activation device can utilize the code to display information on the PC or activation device. The *Hudetz* device requires the act of a user scanning a barcode for the purpose of displaying information to that user such that this user can

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make a selection for retrieving information from the web. The *Nelson* device requires there to be some action of the user in order to retrieve the information. The system disclosed in the present invention provides for automatic extraction of information from the transponder and then automatic connection to the web location. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. 103 rejection with respect to Claim 1-12, 16-18, 19-30 and 33-35.

Claims 13-15, and 31-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Hudetz* and *Nelson* and further in view of *Wellner*. This rejection is respectfully traversed with respect to the amended claims.

The *Wellner* reference is directed toward dependent claims and does not cure the deficiencies noted hereinabove with respect to the combination of *Hudetz* and *Nelson* with respect to Claims 1 and 19. As such, Applicant believes that the combination of *Hudetz*, *Nelson* and *Wellner* does not anticipate or obviate Claims 13-15 and 31-32. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. 103(a) rejection with respect to Claims 13-15 and 31-32.

Claims 19-22, 24, 26, 28-29 and 33-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Rothschild* and further in view of *Schmitt et al.* This rejection is respectfully traversed with respect to the amended claims.

The *Rothschild* device is substantially the same as the *Hudetz* system and the *Schmitt* device is fairly similar to the *Nelson* device. The *Rothschild* device allows for connection to a web location utilizing a UPC and the *Schmitt* device is operable to provide "authorization data" for an authorized person based upon a sensed fingerprint. Therefore, the transponder in the *Schmitt et al.* device that has stored therein an authorization data code and a receiver for receiving information from the access control device and a transmitter for transmitting information thereto. Thus, there is a code associated with that card or user, but this is not utilized for connecting to a web site such as the *Rothschild*. Applicant believes that there is no motivation to combine the *Schmitt* and *Rothschild* references for the purpose of utilizing the transponder of *Schmitt* to provide a code that can automatically access a web page by

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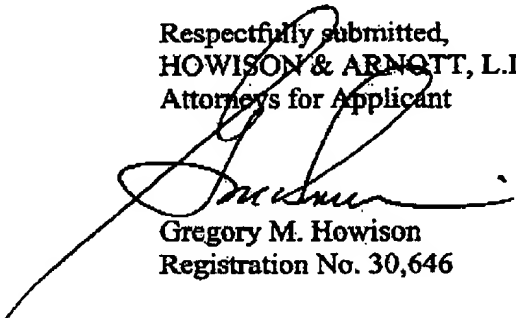
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the mere fact of being proximate in location to the activation device. As such, Applicant believes that the combination of *Rothschild* and *Schmitt* does not anticipate the claims as amended and, therefore, Applicant respectfully requests withdrawal of the 35 U.S.S. 103(a) rejection of Claims 19-22, 24-26, 28-29 and 33-35.

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-25,356 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
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